

LUCAS COUNTY REGIONAL HEALTH DISTRICT
Board of Health Special Meeting
Meeting via Zoom
December 3, 2020 9:00 A.M.

I. Call to Order and Roll Call

Dr. Johnathon Ross, President, called the meeting to order at 10:20AM.

A roll call was taken of Board Members for attendance:

Present: Richard Fernandez, DPT, Matthew Heyrman, Ted Kaczorowski, Richard Munk, MD, Donald Murray, Susan Postal, Johnathon Ross, MD, Barbara Sarantou, Michelle Schultz, Donna Woodson, MD

Excused: Fritz Byers & Perlean Griffin

II. Approval of the Agenda

An Executive Session is being requested to discuss pending immanent litigation.

III. Executive Session

(Resolution 2020.12.192) A motion was made by Matt Heyrman and seconded by Dr. Munk to enter into Executive Session for the purpose of the discussing pending or immanent litigation. Motion carried. 10 Yeas, 0 Nays

(Resolution 2020.12.193) A motion was made by Matt Heyrman and seconded by Dr. Richard Munk to return to come out of Executive Session at 11:01. A roll call vote was taken. Motion carried. 10 Yeas, 0 Nays

Dr. Ross stated there were no decisions made during the Executive Session. We are carefully looking at concerns as we listen to and read the comments from the community, particularly about athletics. Today's order does not mean that we can't look at the order and possibly amend it. Our Health Commissioner is in constant contact with all the schools on a weekly basis and if there are changes the Board needs to reconsider, we can meet within 24 hours and amend the order. Dr. Ross feels we should go ahead and pass the revised amendment to the order. We are paying close attention to the positive comments and those critiquing it and following public health and medical science in decision making for the best outcome for all people in Lucas County while balancing general concerns against individual rights. It is a difficult balancing act for us in the middle of a very dangerous situation with this deadly virus.

Dr. Fernandez stated we are amending the order to add the word "emergency" as had been intended originally, and asked Eric to concisely and clearly outline the reasoning such that we are in an emergency situation in Lucas County and to address our mitigation strategy as related to hospitals and new case numbers and percentage of tests positive in the last 14 days.

Eric stated not much has changed from the last week that would force us to not make this an order. We have risen up in our cases per 100,000 to 777 yesterday. We know the cutoff for high incidence is 100 per 100,000 and we are 7 times that cutoff. When we look at CDC with high risk in schools, their cut off is 200 as high risk. The reason for the order when it was crafted is that it was designed to cover a period of time when students would already be off for the holidays. Sandwiching it between a major holiday and the first of the year. We know there will be a spike after Thanksgiving and after the first of the year. These

timeframes are very relevant in trying to keep the disease out of the schools. January 11th time is a hard date unless we see significant concerns in the community. We are hoping the order allows us to see a decrease in cases or at least become steadier. January 11th would be the return to school date. This isn't closing for 3 to 5 months. It was a precision timeframe decided on to make sure we capture concerns during holiday period. The hospitals continue to tell us the beds are filled up and seeing increases in hospitalizations. We talked about vaccines which will put us to point where we can get more stable. All of this together created the idea to keep the K-6 in school because they are not spreading as much or as effectively as the older kids. We know that extracurricular activities are important. Sports are adding to the community spread. This was all considered in the order.

Dr. Fernandez shared the CDC indicators; the highest risk of community transmission that would trigger our threshold for closing schools is 200 cases per 100,000. We are over seven hundred. Hospital beds are filling and when our hospitals are full they can no longer respond appropriately to preventable disease such as heart attacks or urinary tract infections. This is precisely what we first encountered early on. That was with good reason something to be fearful of because we rely on our hospitals to respond to these emergencies. Those are the things that stood out and the timeline, as Eric indicated, is responsive to what is going to be a difficult time to manage this virus for this short period of time.

Dr. Ross added that the number of days we are asking people to be out fits with the epidemiology of this particular virus. It gives a chance for cases to stabilize if they are asymptomatic staying at home rather than in the schools which is adding gas to the fire. What we are trying to do is to pick a timeframe that matches up with the nature of this virus and the duration of the illness. Part of the timeframe is to slow the transmission through the schools and out into the community after a big holiday like Thanksgiving and another one that would happen at Christmas. That is our thinking and again, our motivation is to try to reduce the disease in the community and we recognize how painful it is when we are asking certain activities to not happen. We are not just the highest, we are three times or more of the highest level of cases that we ought to be considering because of the high risk of transmission and our positivity rates are way above that level as well. We have been testing sewage for virus particles and we are seeing 100 fold increase in the number of particles in our sewage in late November. This tells us in two weeks later we are going to get slammed because the sewage usually is showing us the virus is circulating before we see people get sick and the cases are out there so what that shows us is that we are heading into more trouble. If we can shut things down to whatever extent we can in our county at this point through this holiday is the reason we are taking this action to protect as many people as possible from this devastating illness.

Eric reminded the board and the community that the board did pass a stay at home advisory. That linked with the other things the board is attempting to do does provide a really good foundation to protect the community, but again the stay at home advisory is there and hopefully people are following that and getting coupled with what you are trying to do today should give us some protection.

IV. Update of School Orders

Dr. Fernandez asked that Kevin Pituch address the issues involving the wording of the School Orders in Lucas County which was issued on November 25, 2020.

Mr. Pituch proposed the following changes be made:

The title of the order to read as follows: **IN THE MATTER OF: ORDER FOR SCHOOLS IN LUCAS COUNTY AN EMERGENCY MEASURE UNDER OHIO REVISED CODE §3709.21** and,

SECTION C. BOARD RESOLUTION to read as follows:

This Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution and order were adopted in a properly-conducted meeting of this Board, that this resolution and order constitute an emergency measure enacted in response to the community spread of COVID-19, and that all deliberations of this Board that resulted in such formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Ohio Revised Code §121.22.

(Resolution 2020.12.194) A motion was made by Matthew Heyrman and seconded by Dr. Munk to approve the changes to the School Orders in Lucas County as outlined above. A roll call vote was taken. Motion carried. 9 Yeas, 1 Nay.

Dr. Ross gave the board members the opportunity to voice any other opinions or concerns about this motion. The comments from the public which have been sent in to the department have been read by the Board Members. We are receiving similar letters in support for what we are doing. The Board understands the difficulties we are asking people to endure for the next couple of weeks while we continue to deliberate on this and the fact that we've passed this order today does not mean that next week we couldn't reverse it. We will continue to take public input and you are welcome to continue to email our Health Commissioner and Dr. Ross. One thing people need to understand is there is a diversity of opinion about this. This is not carved in stone.

Dr. Munk asked Eric to let the public know what the Board of Health is able and not able do. Eric shared that the Ohio Revised code gives us strong powers in certain areas. Bars and restaurants falls under the control of the State of Ohio. The ability to precision address issues does exist under quarantine and isolation under the ORC. It does not give us the sweeping ability in other facilities. In speaking with board members and other officials, they wish we did have further powers to close down other facilities but that is not available to us. Kevin Pituch shared that ORC #3707.26 allows the department to close schools under a pandemic, epidemic or contagious disease situation but the board does not have the authority over other businesses. Those were shut down earlier in this pandemic by ODH which has broader authority than the Board of Health.

V. **Adjournment**

(Resolution 2020.12.195) A motion was made by Donald Murray and seconded by Dr. Munk to adjourn the meeting at 11:22 AM. Motion carried. 10 Yeas, 0 Nays

Signed By:

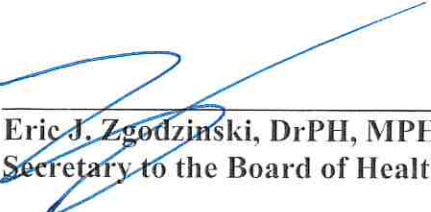


Johnathon Ross, MD, President
Lucas County Regional Board of Health

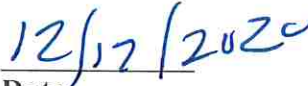


Date

Attested by:



Eric J. Zgodzinski, DrPH, MPH, RS, CPH
Secretary to the Board of Health



Date